

03-12-01

ATTORNEY'S DOCKET NUMBER
JC09 Rec'd PCT/PTO 278012001300

07/8 MAR 2001

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. § 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/786947

INTERNATIONAL APPLICATION NO.
PCT/US99/20840

INTERNATIONAL FILING DATE

10 September 1999

PRIORITY DATE CLAIMED

11 September 1998

TITLE OF INVENTION **REGULATION OF HER2/neu ONCOGENE EXPRESSION BY SYNTHETIC POLYAMIDES**

APPLICANT(S) FOR DO/EO/US

DERVAN, Peter; GOTTESFELD, Joel M.; LONG, John J.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application under PCT Article 19 (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: return receipt postcard.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL736720290US

Date of Deposit: March 8, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Aliza Foat
Aliza Foat

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

09/786947

INTERNATIONAL

APPLICATION NO. PCT/US99/20840

ATTORNEY SDOCKET

NUMBER: 278012001300

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO.....\$1,000.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO.....\$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provision of PCT Article 33(1)-(4)\$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00

**CALCULATIONS
PTO USE ONLY**

ENTER APPROPRIATE BASIC FEE AMOUNT = \$100.00

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from
the earliest claimed priority date (37 CFR 1.492(e)). \$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	12 - 20 =	0	x \$18.00	\$	
Independent claims	1 - 3 =	0	x \$80.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$	

TOTAL OF ABOVE CALCULATIONS = \$ 230.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced
by 1/2.

SUBTOTAL = \$

Processing fee of **\$130.00** for furnishing the English translation later than
☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + \$

TOTAL NATIONAL FEE = \$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00 per property** + \$

TOTAL FEES ENCLOSED = \$230.00

**Amount
to be
refunded:** \$*
charged: \$*

- a. ☒ A check in the amount of \$230.00 to cover the above fees is enclosed.
- b. ☐ Please charge my **Deposit Account No. 03-1952** in the amount of \$* to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to **Deposit Account No. 03-1952**. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Kawai Lau
Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332


SIGNATURE

Kawai Lau
Registration No. 44,461